

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Billy Tyler,

Case No. 18-cv-2840 (SRN/ECW)

Plaintiff,

v.

**ORDER**

Sav Express, et al.,

Defendants.

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Based upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated October 25, 2018, to which no objections have been filed,

**IT IS HEREBY ORDERED** that

1. That the case is hereby DISMISSED without prejudice for failure to state a claim pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
2. That Tyler's application to proceed *in forma pauperis* [Doc. No. 2] is DENIED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: November 15, 2018

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge